ATTACHMENT A

Remarks

In response to the Office Action mailed on April 06, 2007, reconsideration of the rejection of the claims is respectfully requested.

Rejection of claims 11 – 20 under 35 U.S.C. 101

Claims 11 – 20 have been rejected under 35 U.S.C. 101 as being directed to non-statutory subject matter.

Claim 11 – 20 have been amended to recite "a medium readable by an information handling system containing a program of instructions for ...." Thus, the "medium" is a part of the invention, and claims 11 – 20 are directed at statutory subject matter.

Rejection of claims 1 – 7, 10 – 17, 20 – 27, 30 – 37 and 40 under 35 U.S.C. 102

Claims 1 – 7, 10 – 17, 20 – 27, 30 – 37 and 40 have been rejected under 35 U.S.C. 102(e) as being anticipated by Hocker et al. ("Hocker") (U.S. Patent No. 5,943,678). This rejection is respectfully traversed.

Claims 1, 11, 21 and 31 are independent claims and have been rejected under a common rationale. Thus, the rejection of claims 1, 11, 21 and 31 will be commonly addressed, using claim 1 as representative of the group.

Claim 1 recites a method of generating a persistent usage context. The method enables the monitoring of the usage of programs and hardware resources of an information handling system using representations of prior and current usage. The steps of the method include:

> monitoring usage of an information handling system;
> generating a first representation corresponding to a first item of usage;
> generating a second representation corresponding to a second item of usage;
> communicating an association of the first representation to the second
> representation so as to enable a determination of at least one of prior
> usage and current usage of an information handling system.

It is alleged in the Office Action that Hocker teaches a method of generating a persistent usage context comprising the steps recited in claim 1. It is respectfully

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submitted that Hocker does not teach or suggest monitoring usage of an information handling system using representations prior and current usage, and does not teach or suggest any of the steps recited in claim 1. For clarity, the steps of claim 1 will be addressed individually.

It is alleged in the Office Action that Hocker teaches the step of "monitoring usage of an information handling system (general purpose computer system) (see column 2 line 26)." However, the cited portion of Hocker merely states that "[t]he present invention is capable of running on any general purpose computer system or computer controlled GUI (e.g., a television or virtual reality system)."

It is understood that "general purpose computer system" is being read as "an information handling system" in the above-cited passage. However, it is respectfully submitted that the function of being "capable of running on any general purpose computer system" is not the same thing as and cannot be read as the function of monitoring usage of an information handing system, as recited in claim 1. There is no teaching or suggestion of monitoring usage anywhere in the cited passage.

Further, it is alleged in the Office Action that Hocker teaches "generating a first representation corresponding to a first item of usage; generating a second representation corresponding to a second item of usage (see Abstract)." For convenience, the Abstract is reproduced below:

> This invention permits users to conveniently examine functions, applications, data, and other parameters for different periods of time. A region of the graphical user interface is provided to which other icons may be dragged so that the function represented by the dragged icon returns to a prior state or is extrapolated to a future state. By storing the previous m versions of a file, application, database, etc., where m is user selectable, the user can review prior versions of that file, application, or database without explicitly having to track those versions. The graphical nature of the present invention provides a significantly more intuitive way to manipulate the time.

It is unclear how the Abstract is being read as teaching "generating a first representation corresponding to a first item of usage" and "generating a second representation corresponding to a second item of usage." However, it is respectfully submitted that the disclosure of "storing versions of a file, application, database, etc." so

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that the user can "review prior versions of that file, application or database" is not a teaching or suggestion of "generating representations corresponding to usage," as recited in claim 1, because icons of "versions" of data are not representations of the "usage" of a system. As explained in the application, by utilizing representations depicting current and prior items of usage, such as the operation of an application or a peripheral device, a user may determine which programs are currently operating, which tasks are being performed, and the utilization by the program of devices connected to the system. This may also enable a user to determine the source of problems which occur on the system by viewing a usage history. Again, it is respectfully submitted that icons of versions of data, as disclosed in the Abstract of the Hocker reference, are not representations corresponding to usage, as recited in claim 1.

Lastly, it is suggested in the Office Action that Hocker teaches "communicating an association of the first representation to the second representation so as to enable a determination of at least one of prior usage and current usage of an information handling system (see column 5, lines 9 – 32)." Column 5, lines 9 – 32 of the Hocker reference disclose, *inter alia*, a "viewscreen that represents a tunnel in perspective in which time is represented along the length of the tunnel. Snapshots of data to be represented are visible in panels along the walls of the tunnel ..."

Since Hocker does not contain a teaching or suggestion of a first representation corresponding to a first item of usage or a second representation corresponding to a second item of usage, it is respectfully submitted that Hocker also does not contain a teaching or suggestion of communication an association of such a first representation to such a second representation to enable a determination of at least one of a prior usage and a current usage of the system, as recited in claim 1. Further, it is respectfully submitted that "snapshots of data" which are visible in panels along the walls of a tunnel represented on a viewscreen can not be equated to representations of items of usage of an information handling system.

Thus, it is respectfully submitted that Hocker does not teach or suggest the steps recited in claim 1, and the invention as recited in claims 11, 21 and 31 by common rationale. Further, claims 2 – 7, 10, 12 – 17, 20, 22 – 27, 30, 32 – 37 and 40 depend

from claims 1, 11, 21 and 31, and are allowable for at least the reasons provided in support of claim 1.

Rejection of claims 8, 9, 18, 19, 28, 29, 38 and 39 under 35 U.S.C. 103

Claims 8, 9, 18, 19, 28, 29, 38 and 39 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Hocker in view of Schwartz et al. ("Schwartz") (U.S. Patent No. 5,047,918). This rejection is respectfully traversed.

It is respectfully submitted that Schwartz does not overcome the deficiencies of Hocker described above. Therefore, for at least this reason, the proposed combination of Hocker and Schwartz does not teach or suggest the invention as recited in claims 8, 9, 18, 19, 28, 29, 38 and 39.

Rejection of claims 41 – 47 under 35 U.S.C. 102

Claims 41 – 47 have been rejected under 35 U.S.C. 102(e) as being anticipated by Bauersfeld et al. ("Bauersfeld") (U.S. Patent No. 6,195,679).

Claim 41 has been amended as follows:

41. [Currently Amended] A method of generating a persistent usage context, comprising:
        monitoring navigation of a first resource during a <u>first</u> navigation session to obtain
                navigation data;
        storing navigation data pertaining to the first navigation session;
        initiating a second navigation session of at least one of the first resource and a
                second resource;
        loading stored data in at least one of the first resource and second resource
                during the second navigation session so as to enable the utilization of
                stored first navigation data during the second navigation session<u>; and</u>
        <u>generating a pop-up menu containing a plurality of selections, each selection</u>
                <u>representing a particular context pertaining to a relevant time of usage</u>.

It is respectfully submitted that Bauersfeld does not teach or suggest "generating a pop-up menu containing a plurality of selections, each selection representing a particular context pertaining to a relevant time of usage, so as to enable a user to choose one of said particular contexts." Therefore, Bauersfeld does not teach or suggest the method recited in amended claim 41.

Claims 42 – 47 depend from claim 41 and are also allowable for at least the reasons provided in support of the allowability of claim 41.

END REMARKS

remarks (10/747,854)